

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

IRIDEX CORPORATION,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:05CV1916 CDP
)	
SYNERGETICS, INC.,)	
)	
Defendant.)	

ORDER

Iridex has moved to compel the production of certain documents as no longer privileged. Synergetics has argued that it has not waived privilege as to these documents and that they are not relevant to Iridex's claims of willful infringement. The documents at issue are documents 5, 6, 56, and 71 of Synergetics' privilege log as well as nineteen documents added to the privilege log after the deadline for motions to compel. Synergetics has admitted that at least one of the nineteen documents is arguably within the scope of my February 2, 2007 order regarding no longer privileged documents, but it has not identified which one.


Accordingly,

IT IS HEREBY ORDERED that Synergetics shall produce to me for *in camera* review documents 5, 6, 56, and 71 of its privilege log as well as any of the

nineteen additions to its privilege log that may be covered by my February 2 order.

Synergetics shall deliver the documents in a sealed folder to my chambers by **4:00**

p.m. on Wednesday, March 7, 2007.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 5th day of March, 2007.